CGB-CC-0444

Hartford Highway Church of Christ Child Balling PECTED 4186 Hartford Highway
P.O. Box 762
Dothan, AL 36302

tary

Office of the Secretary Federal Communications Commission Attention: CGB Room 3-B431 445 12th Street SW Washington, DC 20554

Petition for Exemption from Closed Captioning Requirements:

The Hartford Highway Church of Christ was established in November, 1998 as an outreach of the Earlytown Church of Christ in neighboring Geneva County, AL. The Hartford Highway congregation meets at 4186 W. State Hwy. 52 in Dothan, AL. The churches sole purpose for existence is to glorify God, edify Christians who meet locally, and preach the gospel to those of this community and wherever else we may have the opportunity.

In August, 1997 the Earlytown Church of Christ launched a weekly 30 minute television broadcast on WTVY-TV called "Let the Bible Speak." The program is primarily geared toward preaching on biblical issues. It includes approximately 21 minutes of preaching, 2 songs by a choir of singers, and announcements of local meetings and free materials we offer viewers. The program is produced only for the purpose of acquainting people with the local congregation of the church of Christ and to explain various doctrinal teachings of the Bible. It is a point of contact with non-members that allows us to spread the word to them about what we believe and why. Upon establishing the congregation in Dothan in 1998, the primary oversight of this broadcast came to rest upon myself (minister) and others of the Dothan church.

Each episode of 'Let the Bible Speak' is 30 minutes long, airing each Sunday at 7:30 AM on WTVY-TV 4 (CBS) in Dothan. The program is produced by an outside production company called Scenic Productions, also in Dothan. Our audience, as far as we know, is made up of all ages. We are not trying to target a specific demographic. Our program has no news value and is not aired on any other station besides WTVY. It is solely for the purpose of disseminating information of a religious nature.

We only recently became aware of the new captioning requirements, which is why this Petition is sent later than requested. Nonetheless, for the reasons set forth below, Hartford Highway Church of Christ hereby requests an undue burden exemption from the closed captioning rules for "Let the Bible Speak", pursuant to 79.1(f) of the Commission's rules.

The only viable option we would have for closed captioning would be to send our tapes to a media company that captions and encodes tapes for broadcast. One such company,

New Day Media of Tulsa, OK told us by phone that they would charge \$200 per 30 minute episode, not including the cost of tapes and shipping. The production company where the program is recorded does not have a Tele Prompter system or any other means of providing closed captioning service. Even so, the sermons are delivered mostly extemporaneously. The speaker is no longer a full-time minister and is not able to devote the time to fully scripting his remarks and also feels that were he able to do so, it would take away from the effectiveness of his sermon delivery. Also, sending the finished tapes to a captioning provider to be captioned would negatively impact our ability to keep the program up-to-date with announcements such as what services our minister will be speaking at, what topic, etc.

One method we do currently utilize to visually enhance the program is PowerPoint graphics presentations. The scriptures cited and some charts are used as full screen graphics during the lesson. We also provide, upon request, free audio copies of the sermon and other printed material about the Bible such as tracts and pamphlets. In short, any kind of running text of the sermon would be unfeasible for us given our lack of resources, technically and financially, and given the nature of the program.

"Let the Bible Speak" currently costs \$670 per episode to produce. \$535 is spent on purchasing airtime and \$135 on production costs. We also spend approximately \$100 per month on materials, postage and supplies used for mail-outs to interested viewers. This totals approximately \$36,040 per year. Closed captioning would cost us a minimum of \$200 more per episode bringing that total to \$46,440 per year. This would completely render us unable to continue producing the broadcast. Our monthly contributions from involved churches already have budgets strained to a breaking point. In fact, when the station periodically raises its airtime rates, it creates hardship on us to raise the extra funds. We never solicit funds from our viewers or from other organizations. These costs are borne solely by involved churches in the area.

All of the churches that support this broadcast are small in number. The membership of most averages about 25 people. We are a small brotherhood of churches, in fact with smaller memberships and often limited resources. Our churches are autonomous with no denominational organization or affiliation from which to derive funds. The church which oversees this work (Hartford Highway Church of Christ) takes in approximately \$2,200 a month in contributions. This is the congregation's only means of raising funds. Each month, we make a \$1,000 a month mortgage payment, support the part-time minister \$550 and pay utilities and other expenses such as utilities and visiting preachers. Our budget is about even and we would have no ability to increase the amount we spend on this broadcast in the amount Closed Captioning would require. The other churches involved are in the same situation.

The Hartford Highway church of Christ is a non-profit religious institution. We operate solely on the basis of the free-will offerings of our membership and receive no outside funds. All funds taken in, are spent on the needs of the congregation in fulfilling its Godgiven mission to preach the gospel and provide for the spiritual and sometimes physical needs of its members.

As shown by this Petition, the Commission should grant a waiver of the closed captioning requirements in this case, because requiring closed captioning would create an undue burden. The costs of captioning would be excessively high, would take longer to produce than the nature of the program would allow, and would have a significant impact on the Petitioner's operations. The Petitioner's type of operations and financial resources are different in kind and magnitude from a mainstream programming provider. Because of the significant difficulty and expense of providing closed captions, a waiver under 79.1(f) is warranted. If more information is needed, we will gladly supply it. Simply contact me at the address provided below.

Respectfully submitted,

Hartford Highway Church of Christ

By: Kevin W. Presley, Minister P.O. Box 762 Dothan, AL 36302 (334) 618-1550

January 30, 2006

I, <u>CHARLES MARSH</u> , am <u>TRUSTEE</u> of Hartford Highway Church of Christ, and I have reviewed the Petition for Exemption for Closed Captioning Requirements filed on behalf of Hartford Highway Church of Christ in this matter, and, upon information and belief, believe the statements regarding our organization and "Let the Bible Speak" to be true and accurate.
Charles Marsh - Trustee Name and Title
2/12/2006 Date
I, <u>Earl Hatcher</u> , am <u>Treasurer</u> of Hartford Highway Church of Christ, and I have reviewed the Petition for Exemption for Closed Captioning Requirements filed on behalf of Hartford Highway Church of Christ in this matter, and, upon information and belief, believe the statements regarding our organization and "Let the Bible Speak" to be true and accurate.
Earl Hatcher (Greasurer) Name and Title
2-12-2006 Date
I, Jerry Madox, am frustee of Hartford Highway Church of Christ, and I have reviewed the Petition for Exemption for Closed Captioning Requirements file on behalf of Hartford Highway Church of Christ in this matter, and, upon information and belief, believe the statements regarding our organization and "Let the Bible Speak" to be true and accurate.
Name and Title
2-12-2006 Date

## **Programming Provided:**

Hartford Highway Church of Christ provides one 30 minute, commercial free, episode of "Let the Bible Speak" to WTVY-TV 4 for single broadcast. The episodes are not replayed on WTVY or any other media outlet.

REMIT: WTVY-TV INVOICE/AFFIDAY 1089 DOTHAN, AL

36302

EARLY TOWN CHURCH PO BOX 762 DOTHAN, AL. 36302 BENEDEK BROADCASTING CORPORATON

P.O. Box 1089 Dothan, Alabama 36302 334/792-3195

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BILL TO: CHURCH OF CHRIST HIGHWAY 52 EARLYTOWN, AL ATTN: KEVIN PRESLEY

TERMS: NET 10 DAYS

SCENIC CABLE & PRODUCTION WILL PROVIDE THE FOLLOWING SERVICES:

- 1) SCENIC PRODUCTIONS SPENDS UP TO 45 MINUTES WEEKLY IN THE STUDIO TAPING A SERMON AND OPENING AND CLOSING REMARKS.
- 2) SCENIC WILL EDIT THE PROGRAM USING A PRE-PRODUCED OPEN AND CLOSE, THE MATERIAL TAPED IN OUR STUDIO AND SONGS THAT WILL BE PROVIDED BY KEVIN PRESLEY ON ¾" OR BETA. BY THE END OF THE DAY OF SHOOTING, SCENIC WILL GIVE THE CHURCH OF CHRIST ONE FINISHED 30 MINUTE PROGRAM ON ¾" TAPE AND ONE FINISHED 30 MINUTE PROGRAM ON AUDIO CASSETTE. (ADDITIONAL COPIES AVAILABLE FOR NOMINAL CHARGE.)

COST: \$135 PER PROGRAM (BASED ON CONTRACT OF 53 THIRTY MINUTE SHOW)

TOTAL COST FOR SERVICES OUTLINED IN CONTACT: \$7,155.00 EFFECTIVE DATES: WEEKS OF DECEMBER 26, 2005 –

DECEMBER 31, 2006.

CLIENT SIGNATURE

DATE: 1/25/2006